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Agenda item 7

QUESTION OF THE REALIZATION IN ALL COUNTRIES OF THE ECONOMIC, SOCIAL AND CULTURAL RIGHTS CONTAINED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AND STUDY OF SPECIAL PROBLEMS WHICH THE DEVELOPING COUNTRIES FACE IN THEIR EFFORTS TO ACHIEVE THESE HUMAN RIGHTS, INCLUDING: PROBLEMS RELATED TO THE RIGHT TO ENJOY AN ADEQUATE STANDARD OF LIVING; FOREIGN DEBT, ECONOMIC ADJUSTMENT POLICIES AND THEIR EFFECTS ON THE FULL ENJOYMENT OF HUMAN RIGHTS AND, IN PARTICULAR, ON THE IMPLEMENTATION OF THE DECLARATION ON THE RIGHT TO DEVELOPMENT

Letter dated 10 February 1992 from the Ambassador of Papua New Guinea to Belgium and the European Communities addressed to the Chairman of the Commission on Human Rights

My Government wishes to submit the attached statement for circulation as an official document of the forty-eighth session of the Commission on Human Rights, in order to put on record for the international community the views of the Government of Papua New Guinea in response to some outlandish lies and irresponsible remarks made by a representative of the Bougainville rebels during the discussions under item 7 at the forty-eighth session.

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The the non-governmental organizations, in giving credence to the statement by Mr. Michael Forster during the forty-eighth session, chose to disregard the rebels' terrorist act on 28 January 1992, namely the destruction of a chartered boat, the M.V. Cosmaris, which was carrying humanitarian aid and personnel of the International Committee of the Red Cross, is seen by my Government as another example of the lack of credibility on the part of some non-governmental organizations in international fora.

(Signed:) Charles W. LEPANI
Ambassador

Bougainville issue - Statement by the Government of Papua New Guinea

1. The purpose of the present statement is to provide the Commission on Human Rights with a full historical and chronological account of the Bougainville issue. It represents an outline of the Papua New Guinea Government's position on events and issues pertaining to Bougainville which occurred since its statement submitted to the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its forty-third session in August 1991, and should be read in conjunction with that statement (E/CN.4/Sub.2/1991/64).

2. The Government of Papua New Guinea wishes to reiterate the following:

(a) Papua New Guinea reaffirms that Bougainville is an integral part of the independent State of Papua New Guinea;

(b) We are a nation of indigenous minorities, consisting of over 800 linguistic and cultural groups, duly and freely constituted through democratic processes as a sovereign independent nation. The Government of Papua New Guinea is committed to maintaining and protecting the sovereign integrity of Papua New Guinea;

(c) Contrary to what the Commission may have been led to believe by the representative of the Bougainville rebels, the Bougainville people are not a cohesive indigenous people, nor do they constitute a single linguistic or cultural entity. In pre-colonial times, Bougainville was never ruled by a single chief. It was like any other region in Papua New Guinea, each having its chiefs and tribal laws and customs;

(d) The record of successive Papua New Guinea Governments in handling secessionist sentiments in Papua New Guinea is one of which we are proud. Papua New Guinea has been very patient and has not been oppressive. I urge the Commission to distinguish clearly between actions by the Papua New Guinea Government which constitute matters of law and protection of the sovereign integrity of the nation and actions which constitute political oppression;

(e) On the question of human rights violations, my Government has dealt with those found guilty in no uncertain terms. Members of the security forces who have been found guilty have been severely disciplined and dismissed from the forces;

(f) This has not been the case with the Bougainville rebels, as their actions indicate (see p. 3 of the 28 August 1991 statement to the Sub-Commission). They have murdered and terrorized their own Bougainville people and they have pillaged gardens and destroyed property with wanton abandon. Only two weeks ago, on 28 January 1992, they highjacked and blew up a vessel, the M.V. Cosmaris, which was carrying supplies and humanitarian aid. On board was Dr. Wolfhart, the coordinator of Red Cross assistance, who I am sure will have a report to submit to international aid agencies in due course. The crew and the Red Cross staff are safe;

(g) The so-called Bougainville Revolutionary Army (BRA) is not a passive, non-violent, peace-loving democratic organization. Rather, it is a militant insurgent, racist, illegal and violent organization, committed to and bent on the use of violence to achieve the destruction of a free, democratic and sovereign Papua New Guinea. The rebels have neither the democratic legitimacy nor any degree of respectability to establish legitimate authority in Bougainville;

(h) The rebels have lost credibility with the Bougainville people. North and South Bougainville people have sought and received assistance from the Papua New Guinea Government to establish legitimate authority on those respective regions of the island. Since the withdrawal of security forces, Bougainville leaders from these areas have requested the presence of security forces to assist in re-establishing legitimate authority and provide services. Two Memoranda of Understanding signed recently by the Papua New Guinea Government and the chiefs and leaders of North Bougainville and South Bougainville attest to the desire of the Bougainville people to re-establish legitimate authority and to their rejection of the rebels' moves for secession;

(i) The Government of Papua New Guinea, responding to the increasing desire on the part of Bougainville to remain a province of Papua New Guinea but with increased autonomy, has continued to hold direct discussions with village chiefs and elders, rather than wait in vain for the resumption of talks with the rebels. This change of approach has resulted in the rebels' more violent and militant actions, culminating in the recent terrorist destruction of the vessel M.V. Cosmaris.

The M.V. Cosmaris incident

3. The Cosmaris was not an ordinary cargo vessel but had been under charter to the Government to carry relief and other supplies on behalf of the International Committee of the Red Cross (ICRC), which had undertaken the important task of providing medical and other services for the people of Bougainville. The M.V. Cosmaris was sent to Kieta on a humanitarian mission with a volunteer crew, who placed their own lives at risk to save those of the people of Bougainville.

4. Independent reports confirmed that the Cosmaris was hijacked by the rebels, and subsequently burned. The cowardly and senseless action of the rebel leadership in Arawa, Kieta and Central Bougainville in destroying the ship has cast doubt over humanitarian assistance from the Government and international organizations like ICRC. The destruction of the Cosmaris was committed despite the fact that the rebel leader, Mr. Joseph Kabui, had given the Government a firm guarantee for the safety of the ship, the crew members and the NGO volunteers aboard.

5. As with most hijackings, this one was followed by demands. No responsible Government in the world today gives in to demands made by terrorists, and the Papua New Guinea Government is certainly not going to do so. The vessel was destroyed because the Government would not give in to blackmail.

6. This terrorist action will make it difficult, if not impossible, to get supplies - even essential supplies such as medicine - to Central Bougainville, as long as the rebels remain in control. However, this senseless act by the rebels will not deter the Government in its efforts to bring services to areas that are seeking the restoration of goods and services, such as Buka and Northern and Southern Bougainville.

7. Under the Honiara Declaration, the Papua New Guinea Government was to meet its constitutional responsibilities by lifting the economic and military blockade and restoring normal and humanitarian services to the islands. The Government has so far lived up to its responsibility by lifting the blockade to certain parts of Bougainville, like Buka, where economic and social services have been fully restored. People in Buka have turned away from the rebels and have sought the help of the Government, which has readily responded to their requests.

8. On the whole, this phase of restoring services has succeeded in re-establishing some confidence which should be used to address the longer-term measures taken to solve the Bougainville crisis envisaged in the Honiara Declaration's "Phase Two". This phase involved finding a lasting solution to the crisis through a political settlement which would address the future political status of the Province of North Solomons. The problem now is that the rebel groups or factions in Bougainville have no common positions on the various issues and therefore have used delaying tactics to prevent further negotiations with the national Government.

9. The Papua New Guinea Government's strategy for Bougainville involves two main objectives, namely the restoration of services and the restoration of lawful government authority. The second objective cannot be achieved in South Bougainville without the presence of security forces to maintain law and order and to prevent the rebels from harassing the people who wish to cooperate with the national Government. Bougainville is an integral part of Papua New Guinea and the Government will not allow the rebels to take the law into their own hands. Neither will it allow certain individuals to divide the island to suit their own ends.

10. As mentioned above, the people in Buka and North Bougainville have rejected the rebels. However, matters in South Bougainville have been moving rather slowly. It was thought wise to allow the situation to develop slowly, realizing that developments in other areas, mainly North Bougainville, would influence the situation in South Bougainville. It has been observed that the people of South Bougainville are trying to distance themselves from the illegal interim government in Arawa and the rebel leadership. When the rebels saw their support dwindling, they resorted to the terrorist act of hijacking and burning the M.V. Cosmaris. The rebel leaders are no doubt starved for publicity.

11. Also as mentioned earlier, Bougainville, or the North Solomons province, remains an integral part of the sovereign independent State of Papua New Guinea. The province had at no time been under seige. A contingent of military personnel was deployed on the island to restore and maintain law and order, as well as to protect the populace and property from a misguided group of rebels. The law and order situation had become so grave that the

Government was warranted in using the appropriate instrument of state security to curb the lawlessness, the psychological intimidation and the reign of terror and wanton destruction of property being perpetrated by the illegal Bougainville Revolutionary Army.

12. Special arrangements by the Government to have essential civil services restored on Bougainville and medical supplies delivered could not be effected due to the fact that there was a continued lack of specific and genuine guarantees from the rebel leaders for the safety of the government personnel and NGO volunteers assigned to deliver these services.

13. The allegations, made at the forty-eighth session of the Commission on Human Rights that Papua New Guinea Defence Force soldiers committed atrocities of a heineous nature as described by the representative of the Bougainville rebels, are totally outlandish and untrue. Following previous allegations, the Government set up a Commission of Inquiry, comprising competent individuals representing various interest groups, and the findings were submitted in the Commission's report.

14. Numerous efforts by the Government to bring the rebels to the negotiating table have failed time and again. The Government has been willing and ready to negotiate a peaceful solution to the Bougainville situation, unlike Mr. Kabui and his group of rebels who have not seen their way clear to sit down and resolve the problem. Restrictive and unreasonable demands imposed on the Government by the rebels for a speedy solution have made the process all the more difficult. As a result, the unnecessary sufferings of the innocent people of Bougainville have been prolonged.

15. Papua New Guinea is not a neo-colonial State and has never ventured to colonize or annex any country. Furthermore, Bougainville is not an inscribed Trust Territory of the United Nations. It is an integral part of a sovereign Papua New Guinea, which is fully represented in the United Nations and its specialized agencies and institutions, and this shall remain so, as prescribed under the Papua New Guinea National Constitution. Papua New Guinea has and will always continue to observe and uphold the fundamental principles of the Charter of the United Nations, and to respect the territorial integrity, independence and sovereignty of all nations. The Bougainville situation is an internal matter that can be resolved by means that the Papua New Guinea Government deems appropriate to restore peace and normalcy in the province.